

244689

476.00-101  
OMB No. 0651-0011 (12/31/86)

DIVISION-CONTINUATION PROGRAM APPLICATION TRANSMITTAL FORM				ATTORNEY'S DOCKET NO.	
DOCKET NUMBER 3:21:amd		ANTICIPATED CLASSIFICATION OF THIS APPLICATION: CLASS 128		PRIOR APPLICATION: EXAMINER Dalton Truluck	
				ART UNIT 336	

To the Commissioner of Patents and Trademarks:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.60, of pending prior a application serial no. 25,736 filed on March 13 19 87, of Cesare Gianturco for ENDOVASCULAR STENT AND DELIVERY SYSTEM

1. Enclosed is a copy of the latest inventor signed prior application, including the oath or declaration as originally filed. I hereby verify that the attached papers are a true copy of the latest inventor signed prior application serial no. 25,736 as originally filed on March 13 19 87, and further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Claims	(1) For	(2) Number filed	(3) Number extra	(4) Rate	(5) Calculations
Total Claims		7 - 20 =	0	X \$12.00	\$ 0
Independent Claims		7 - 3 =	4	X \$34.00	136.00
Multiple Dependent Claim(s) (if applicable)				+ \$110.00	0
				Basic Fee	+ \$340.00
				Total of above Calculations =	476.00
Reduction by 1/2 for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28) if applicable, affidavit must be filed also.					0
				Total National Fee	\$ 476.00

2. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23-3030. A duplicate copy of this sheet is enclosed.

3. ☒ A check in the amount of \$ 476.00 is enclosed.

4. ☒ Cancel in this application original claims 1-27 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

5. ☒ Amend the specification by inserting before the first line the sentence: This application is a ☒ continuation, ☐ division, of application serial no. 25,736, filed March 13, 1987.

6. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of issue fee.)

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Patent and Trademark Office - U.S. DEPARTMENT OF COMMERCE  
(continued)

"Express Mail" label number B713 80683  
 Date of Deposit September 13, 1988  
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Andrew M. Dee  
 Signature of person mailing paper or fee

a. ☐ New formal drawings are enclosed.

b. ☐ Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_  
(country) \_\_\_\_\_ is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior application serial no. \_\_\_\_\_  
filed \_\_\_\_\_.

7. ☒ The prior application is assigned of record to Cook Incorporated.

8. ☒ A preliminary amendment is enclosed.

9. ☐ A verified statement claiming small entity status is enclosed in parent application  
Serial Number \_\_\_\_\_, filed \_\_\_\_\_ and is still proper.

10. ☒ Also enclosed 5 sheets of informal drawings

11. ☒ The power of attorney in the prior application is to

C. David Emhardt  
Woodard, Emhardt, Naughton, Moriarty & McNett

One Indiana Square, Suite 2000

Indianapolis, Indiana 46204

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application  
is enclosed.

c. ☒ Address all future communications : (May only be completed by applicant, or attorney or agent  
of record)

601 C. David Emhardt  
602 Woodard, Emhardt, Naughton, Moriarty & McNett

701 One Indiana Square, Suite 2000

702 Indianapolis, Indiana 46204

September 13, 1988  
(date)

(signature)

C. David Emhardt  
C. David Emhardt, Reg. No. 18,483

Address of signator:

☐ inventor(s)

☐ filed under § 1.34(a)

☐ assignee of complete interest

☒ attorney or agent of record

C. David Emhardt

Woodard, Emhardt, Naughton, Moriarty & McNett

One Indiana Square, Suite 2000

Indianapolis, Indiana 46204



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FROM: Willie Bowman, Jr.  
Willie Bowman, Jr., Manager  
Correspondence and Mail Division

SUBJECT: Receipt of Papers and Fees Filed Under 37 CFR 1.10 By  
Express Mail

The filing date of Sept 14, 1988 is the correct date. The date on the Express Mail label under 37 CFR 1.10 is \_\_\_\_\_. On that date the PTO was closed all day due to \_\_\_\_\_ adverse weather conditions (authorized by Office of Personnel Management) or a \_\_\_\_\_ normally scheduled Federal holiday within the District of Columbia. In accordance with 37 CFR 1.6 the papers have been stamped with the next succeeding day which is not a Saturday, Sunday or Federal holiday within the District of Columbia. The provision of 35 U.S.C. 21 (b) apply.

The papers were not stamped with the date on the certificate of mailing by Express Mail because the date on the certificate does not coincide with the date of deposit on the Express Mail label which the PTO takes as evidence of when the package was mailed.

Date on certificate of mailing by Express Mail is Sept 13, 1988.

Date on Express Mail label is Sept. 14, 1988.

Date of receipt in PTO is Sept 15, 1988.

Therefore, the filing date is Sept 14, 1988.

The papers are not entitled to the benefits of 37 CFR 1.10 because:

Date on mailing certificate does not  
correspond with the date in on  
the express label.

SIGNED: CDuhart

DATE: Sept. 16, 1988